

ORIGINAL

**FILED**  
DISTRICT COURT OF GUAM  
JAN 06 2006 *JP*  
MARY L.M. MORAN  
CLERK OF COURT

1 Matsuno.mtn

2 LEONARDO M. RAPADAS  
United States Attorney  
3 KARON V. JOHNSON  
Assistant U.S. Attorney  
4 Suite 500, Sirena Plaza  
108 Hernan Cortez Avenue  
5 Agana, Guam 96910  
Telephone: (671) 472-7332/7283  
6 Telecopier: (671) 472-7334

7 Attorneys for the United States of America

8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE TERRITORY OF GUAM**

11 UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO. <u>05-00009</u>
	)	
12 Plaintiff,	)	MOTION TO IMPOSE FINE
	)	
13 vs.	)	
	)	
14 DANIEL MATSUNO and,	)	
15 VIVIAN MATSUNO,	)	
	)	
16 Defendants.	)	

17 COMES NOW the United States of America, and moves this Honorable Court for an  
18 order imposing a fine in the amount of \$3,000, jointly and severally payable by both defendants.  
19 The government makes this motion pursuant to the Pre-Trial Diversion Agreement entered into  
20 between the parties March 1, 2005, which provides at Paragraph 7, page 6, that the defendants  
21 were to pay a fine within the applicable Guidelines range, which the parties agreed was between  
22 \$250 and \$5,000. A copy of the defendant's Agreements is attached hereto as Exhibit 1.

23 //

24 //

25 //

26 //

27 //


28 //

1 U.S. Probation Officer Judy Ocampo has prepared a financial statement detailing the  
2 income, expenses and assets of the defendants, which report is attached hereto as Exhibit 2. The  
3 government believes a fine of \$3,000 is reasonable in all the circumstances.

4 Respectfully submitted this 6<sup>th</sup> day of January, 2006.

5 LEONARDO M. RAPADAS  
6 United States Attorney  
Districts of Guam and CNMI

7 By:

8   
KARON V. JOHNSON  
9 Assistant U.S. Attorney  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

3/2/06

1 LEONARDO M. RAPADAS  
United States Attorney  
2 KARON V. JOHNSON  
Assistant U.S. Attorney  
3 Suite 500, Sirena Plaza  
108 Hernan Cortez Street  
4 Agana, Guam 96910  
PHONE: 472-7332  
5 FAX: 472-7334

6 Attorneys for the United States of America

7 UNITED STATES OF AMERICA, )

8 vs. )

9 )

10 DANIEL MATSUNO,  
DOB: 06/23/57  
Address: # 8 Pago Bay Estates  
11 Chalan Pago, Guam 96913  
Telephone: (671) 789-8870, )

12 Divertee. )

13 )

**PRE-TRIAL DIVERSION AGREEMENT**

14 **AGREEMENT FOR PRE-TRIAL DIVERSION**

15 1. It appearing that you are reported to have committed the offenses of Conspiracy to Commit  
16 Wire Fraud, in violation of Title 18, United States Code, Sections 2, 371 & 1343; and Wire Fraud,  
17 in violation of Title 18, United States Code Sections 2 and 1343, on or between February, 2002, and  
18 March 30, 2002 in that you did willfully and knowingly assist and agree to assist Thu Loan Thai  
19 Dang to devise and execute a scheme and artifice to defraud for the purpose of obtaining money by  
20 means of false and fraudulent pretenses, by certifying to Atkins Kroll that Thu Loan Thai Dang was  
21 employed as a sales manager for Pacific Wine & Spirits, Inc., making a gross monthly salary of  
22 \$3,000, said pretenses and representations being material to the scheme and for purposes of executing  
23 the scheme, did cause to be transmitted in interstate and foreign commerce, by means of a wire  
24 communication, certain signs and signals, to-wit: communications concerning whether Thu Loan Thai  
25 Dang had been approved for a loan to purchase a 2002 Lexus automobile.

26 2. On the authority of the Attorney General of the United States, by Leonardo M. Rapadas,  
27 United States Attorney for the District of Guam, prosecution in this District for these offenses shall  
28 be deferred for the period of 18 months from this date, provided you abide by the following  
conditions and the requirements of this Agreement set out below.

**EXHIBIT**

1           3. Should you violate the conditions of this Agreement, the United States Attorney for this  
2 District may revoke or modify any conditions of this pretrial diversion program or change the period  
3 of supervision, which shall in no case exceed twelve months. The United States Attorney may release  
4 you from supervision at any time. The United States Attorney for this District may at any time within  
5 the period of your supervision initiate prosecution for these offenses should you violate the conditions  
6 of this Agreement. In this case, the United States Attorney for the District of Guam will furnish you  
7 with notice specifying the conditions of the Agreement which you have violated.

8           4. After successfully completing your diversion program and fulfilling all the terms and  
9 conditions of the Agreement, no prosecution for the offenses set out in paragraph 1 of this Agreement  
10 will be instituted in this District, and the charges against you, if any, will be dismissed.

11           5. Neither this Agreement nor any other document filed with the United States Attorney as  
12 a result of your participation in the Pretrial Diversion Program will be used against you, except for  
13 impeachment purposes, in connection with any prosecution for the above-described offense.

14           6. General Conditions of Pretrial Diversion:

15           A. You shall not violate any law (Federal/State/Local). You shall immediately contact  
16 your pretrial diversion supervisor if arrested and/or questioned by any law  
enforcement officer.

17           B. You shall attend school or work regularly at a lawful occupation or otherwise  
18 comply with the terms of the special program described below. If you lose your job  
or are unable to attend school, you shall notify your pretrial diversion supervisor at  
19 once. You shall consult him/her prior to job or school changes.

20           C. You shall report to your supervisor as directed and keep him/her informed of your  
whereabouts.

21           D. You shall follow the program and such special conditions as may be described  
below.

22           E. You shall not possess, use, distribute, or administer any controlled substance unless  
23 prescribed by a physician.

24           F. You shall continue to live in the District of Guam, and not leave Guam without  
25 express written consent of the U.S. Probation Office. Travel must be requested  
twenty-four (24) hours prior to departure. If you intend to move from the District of  
26 Guam, you shall inform the U. S. Probation Office of your intention one month prior  
to your departure so an appropriate transfer of program responsibility can be made.

27           7. Special Conditions of Pretrial Diversion are that you pay a fine within the applicable  
28 Sentencing Guidelines range. U.S. Probation has determined that the fine will be between \$250 and

1 \$5,000. The United States will recommend a fine within this range.

2 8. I, DANIEL MATSUNO, assert and certify that I am aware of the fact that the  
3 Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions  
4 the accused shall enjoy the right to a speedy and public trial. I also am aware that Rule 48(b) of the  
5 Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information,  
6 or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information,  
7 or in bringing a defendant to trial. I hereby request the United States Attorney for the District of  
8 Guam to defer such prosecution. I agree and consent that any delay from the date of this Agreement  
9 to the date of initiation of prosecution, as provided for in the terms expressed herein, shall be deemed  
10 to be a necessary delay at my request, and I waive any defense to such prosecution on the ground that  
11 such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure  
12 and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the  
13 prosecution by reason of the running of the statute of limitations for a period of months equal to the  
14 period of this agreement.

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 I hereby state that the above has been read and explained to me. I understand the conditions  
2 of my pretrial diversion program and agree that I will comply with them.

3  
4 March 2005  
DATE

D. Matsuno  
DANIEL MATSUNO  
Pretrial Divertee

6  
7 3/1/05  
DATE

F. Randall Cunliffe  
F. RANDALL CUNLIFFE  
Attorney for Pretrial Divertee

9  
10 LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam & NMI

11  
12 3/1/05  
DATE

13 By: Karon V. Johnson  
KARON V. JOHNSON  
Assistant U.S. Attorney

14  
15 3/1/05  
DATE

16 for Frank Michael Cruz  
FRANK MICHAEL CRUZ  
Chief United States Probation Officer

9  
3/2/05

1 LEONARDO M. RAPADAS  
United States Attorney  
2 KARON V. JOHNSON  
Assistant U.S. Attorney  
3 Suite 500, Sirena Plaza  
108 Hernan Cortez Street  
4 Agana, Guam 96910  
PHONE: 472-7332  
5 FAX: 472-7334

6 Attorneys for the United States of America

7 UNITED STATES OF AMERICA, )

8 vs. )

9 VIVIAN MATSUNO,  
10 DOB: 07/20/73  
Address: # 8 Pago Bay Estates  
11 Chalan Pago, Guam 96913  
Telephone: (671) 789-8870, )

12 Divertee. )  
13

**PRE-TRIAL DIVERSION AGREEMENT**

14 **AGREEMENT FOR PRE-TRIAL DIVERSION**

15 1. It appearing that you are reported to have committed the offenses of Conspiracy to Commit  
16 Wire Fraud, in violation of Title 18, United States Code, Sections 2, 371 & 1343; and Wire Fraud,  
17 in violation of Title 18, United States Code Sections 2 and 1343, on or between February, 2002, and  
18 March 30, 2002 in that you did willfully and knowingly assist and agree to assist Thu Loan Thai  
19 Dang to devise and execute a scheme and artifice to defraud for the purpose of obtaining money by  
20 means of false and fraudulent pretenses, by certifying to Atkins Kroll that Thu Loan Thai Dang was  
21 employed as a sales manager for Pacific Wine & Spirits, Inc., making a gross monthly salary of  
22 \$3,000, said pretenses and representations being material to the scheme and for purposes of executing  
23 the scheme, did cause to be transmitted in interstate and foreign commerce, by means of a wire  
24 communication, certain signs and signals, to-wit: communications concerning whether Thu Loan Thai  
25 Dang had been approved for a loan to purchase a 2002 Lexus automobile.

26 2. On the authority of the Attorney General of the United States, by Leonardo M. Rapadas,  
27 United States Attorney for the District of Guam, prosecution in this District for these offenses shall  
28 be deferred for the period of 18 months from this date, provided you abide by the following

COPY

1 conditions and the requirements of this Agreement set out below.

2 3. Should you violate the conditions of this Agreement, the United States Attorney for this  
3 District may revoke or modify any conditions of this pretrial diversion program or change the period  
4 of supervision, which shall in no case exceed twelve months. The United States Attorney may release  
5 you from supervision at any time. The United States Attorney for this District may at any time within  
6 the period of your supervision initiate prosecution for these offenses should you violate the conditions  
7 of this Agreement. In this case, the United States Attorney for the District of Guam will furnish you  
8 with notice specifying the conditions of the Agreement which you have violated.

9 4. After successfully completing your diversion program and fulfilling all the terms and  
10 conditions of the Agreement, no prosecution for the offenses set out in paragraph 1 of this Agreement  
11 will be instituted in this District, and the charges against you, if any, will be dismissed.

12 5. Neither this Agreement nor any other document filed with the United States Attorney as  
13 a result of your participation in the Pretrial Diversion Program will be used against you, except for  
14 impeachment purposes, in connection with any prosecution for the above-described offense.

15 6. General Conditions of Pretrial Diversion:

16 A. You shall not violate any law (Federal/State/Local). You shall immediately contact  
17 your pretrial diversion supervisor if arrested and/or questioned by any law  
enforcement officer.

18 B. You shall attend school or work regularly at a lawful occupation or otherwise  
19 comply with the terms of the special program described below. If you lose your job  
or are unable to attend school, you shall notify your pretrial diversion supervisor at  
20 once. You shall consult him/her prior to job or school changes.

21 C. You shall report to your supervisor as directed and keep him/her informed of your  
whereabouts.

22 D. You shall follow the program and such special conditions as may be described  
23 below.

24 E. You shall not possess, use, distribute, or administer any controlled substance unless  
prescribed by a physician.

25 F. You shall continue to live in the District of Guam, and not leave Guam without  
26 express written consent of the U.S. Probation Office. Travel must be requested  
twenty-four (24) hours prior to departure. If you intend to move from the District of  
27 Guam, you shall inform the U. S. Probation Office of your intention one month prior  
to your departure so an appropriate transfer of program responsibility can be made.

28 7. Special Conditions of Pretrial Diversion are that you pay a fine within the applicable



1 Sentencing Guidelines range. U.S. Probation has determined that the fine will be between \$250 and  
2 \$5,000. The United States will recommend a fine within this range.

3 8. I, VIVIAN MATSUNO, assert and certify that I am aware of the fact that the  
4 Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions  
5 the accused shall enjoy the right to a speedy and public trial. I also am aware that Rule 48(b) of the  
6 Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information,  
7 or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information,  
8 or in bringing a defendant to trial. I hereby request the United States Attorney for the District of  
9 Guam to defer such prosecution. I agree and consent that any delay from the date of this Agreement  
10 to the date of initiation of prosecution, as provided for in the terms expressed herein, shall be deemed  
11 to be a necessary delay at my request, and I waive any defense to such prosecution on the ground that  
12 such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure  
13 and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the  
14 prosecution by reason of the running of the statute of limitations for a period of months equal to the  
15 period of this agreement.

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28

1 I hereby state that the above has been read and explained to me. I understand the conditions  
2 of my pretrial diversion program and agree that I will comply with them.

3  
4 3/1/05  
DATE

Vivian Matsuno  
VIVIAN MATSUNO  
Pretrial Divertee

6  
7 3/1/05  
DATE

Rawlen M.T. Mantanona  
RAWLEN M.T. MANTANONA  
Attorney for Pretrial Divertee

9  
10 LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam & NMI

12  
13 3/1/05  
DATE

By:

Karon V. Johnson  
KARON V. JOHNSON  
Assistant U.S. Attorney

15  
16 3/1/05  
DATE

for Christopher J. Cruz  
FRANK MICHAEL CRUZ  
Chief United States Probation Officer



*Judy Ocampo*

RECEIVED  
U.S. Probation Office  
8/27  
649-8870

U.S. Department of Justice  
Financial Statement of Debtor  
(Submitted for Government Action on  
Claims Due the United States)

NOTE: Use additional sheets where space on this form  
is insufficient or continue on back of last page.

FINANCIAL STATEMENT OF DEBTOR

Authority for the solicitation of the requested information is one or more of the following: 5 U.S.C. 301, 901 (see Note, Executive Order 6166, June 10, 1933); 28 U.S.C. 501, et seq.; 31 U.S.C. 951, et seq.; 44 U.S.C. 3101; 4 CFR 101, et seq.; 28 CFR 0.160, 0.171 and Appendix to Subpart Y. Fed.R.Civ.P. 33(a), 28 U.S.C. 1651, 3201 et seq.

The principal purpose for gathering this information is to evaluate your ability to pay the Government's claim or judgment against you. Routine uses of the information are established in the following U.S. Department of Justice Case File Systems published in Vol. 42 of the Federal Register; Justice/CIV-001 at page 5332; Justice/TAX-001 at page 15347; Justice/USA-005 at pages 53406-53407; Justice/USA-007 at pages 53408-53410; Justice/CRIM-016 at page 12274. Disclosure of the information is voluntary. If the requested information is not furnished, the U.S. Department of Justice has the right to such disclosure of the information by legal methods.

Section 1  
Personal  
Information

1. Full Name(s) Daniel Kohji Matsuro 1a. Home Telephone: (671) 789-8870  
Best Time to Call \_\_\_\_\_ a.m. X p.m.  
Street Address #8 Pago Bay Estates 1b. Cellular Number: (\_\_\_\_) \_\_\_\_\_  
City Chula Vista State CA Zip 96 2. Marital Status:  
County of Residence US ☒ Married ☐ Separated  
How long at this residence? 3 yrs. ☐ Unmarried (single, divorced, widowed)  
3. Your Social Security No. (SSN) 523-90-8926 3a. Your Date of Birth (mm/dd/yy) 06/23/57  
4. Spouse's Social Security No. 579-17-1426 4a. Spouse's Date of Birth (mm/dd/yy) 07/20/73  
5. ☐ Own Home ☒ Rent ☐ Other (specify, i.e. share rent, live with relative) \_\_\_\_\_

6. List the dependants you can claim on your tax return: (Attach sheet if more space is needed)

First Name	Relationship	Age	Does this person live with you?	First Name	Relationship	Age	Does this person live with you?
<u>Randahl</u>	<u>Son</u>	<u>20</u>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Naomi</u>	<u>daughter</u>	<u>5</u>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes	<u>Milani</u>	<u>daughter</u>	<u>3</u>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

Section 2  
Your  
Business  
Information

7. Are you or your spouse self-employed or operate a business? (Check "Yes" if either applies)  
☐ No ☐ Yes If yes, provide the following information:  
7a. Name of Business \_\_\_\_\_ 7c. Employer Identification No: \_\_\_\_\_  
7b. Street Address \_\_\_\_\_ 7d. Do you have employees? ☐ No ☐ Yes  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ 7e. Do you have accounts receivable? ☐ No ☐ Yes  
If yes, please complete section 8 on page 5.

**ATTACHMENTS REQUIRED:** Please provide proof of self-employment income for the prior 3 months  
(e.g. invoices, commissions, sales records, income statement).

Section 3  
Employment  
Information

8. Your employer Pacific Wine & Spirits 9. Spouse's Employer Isla Delight  
Street Address 165 Skyline Drive Street Address 165 Skyline Drive  
City Tamuning State GU Zip 96913 City Tamuning State GU Zip 96913  
Work telephone no. (671) 649-8127 Work telephone no. (671) 646-3490  
May we contact you at work? ☐ No ☒ Yes May we contact you at work? ☐ No ☒ Yes  
8a. How long with this employer? since 1990 9a. How long with this employer? 5 yrs.  
8b. Occupation General Mgr. 9b. Occupation Administration

**ATTACHMENTS REQUIRED:** Please provide proof of gross earnings and deductions for the past 3 months from each employer (e.g. pay stubs, earnings statements). If year-to-date information is available, send only 1 such statement as long as a minimum of 3 months is represented.

EXHIBIT

**Section 4**

Other

Income

Information

10. Do you receive income from sources other than your own business or your employer? (Check all that apply.)

☐ Pension☐ Social Security☒ Other (specify, e.g. child support, alimony, rental)House lease  
in Hawaii**ATTACHMENTS REQUIRED:** Please provide proof of pension/social security/other income for the past 3 months from each payor, including any statements showing deductions. If year-to-date information is available, send only 1 statement as long as 3 months is represented.**Section 5**

Banking,

Investment,

Cash, Credit

and Life

Insurance Information

11. **CHECKING ACCOUNTS.** List all checking accounts. (If you need additional space, attach a separate sheet.)

Type of Account	Full name of Bank, Credit Union or Institution	Bank Account No.	Current Account Balance
11a. Checking	Name <u>BoH</u> Address <u>P.O. Box 2900</u> City/State/Zip <u>Hono HI</u>	<u>0038-373706</u>	\$ <u>2,500</u>

11b. Checking	Name <u>BoH</u> Address <u>Tamuning</u> City/State/Zip <u>Gu 96913</u>	<u>0031-410924</u>	\$ <u>500</u>
---------------	--	--------------------	---------------

11c. Total Checking Accounts Balances \$ 3,00012. **OTHER ACCOUNTS.** List all accounts, including brokerage, savings and money market, not listed in 11.

Type of Account	Full name of Bank, Credit Union or Institution	Bank Account No.	Current Account Balance
12a. <u>saving</u>	Name <u>BoH</u> Address <u>Tamuning</u> City/State/Zip <u>Gu 96913</u>	<u>6031-020332</u> <u>334600</u> <u>016563</u> <u>021108</u>	\$ <u>3,360</u> <u>560</u> <u>1,010</u> <u>11,716</u>

12b. <u>TCD</u> <u>- collateral -</u> <u>agent line</u>	Name <u>FHB</u> Address <u>Mongmong</u> City/State/Zip <u>Gu 96927</u>	<u>70-35-919172</u> <u>919178</u>	\$ <u>15,646</u> collateral agent <u>74,000</u> saving loan
---	--	--------------------------------------	--

12c. Total Other Account Balances \$ 90,646**ATTACHMENTS REQUIRED:** Please include your current bank statements (checking, savings, money market and brokerage accounts) for the past 3 months for all accounts.13. **INVESTMENTS.** List all investment assets below. Include stocks, bonds, mutual funds, stock options, certificates of deposits and retirement assets such as IRAs, Keogh and 401(k) plans.

Name of Company	Number of Shares/Units	Current Value	Loan Amount (if any)	Used as collateral on loan?
13a. <u>Merrill Lynch</u>	<u>872</u>	\$ <u>12,382</u>	\$	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
13b. <u>Pacific Union</u>	<u>49,998</u>	\$ <u>49,998</u>	\$	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
13c. <u>Plus Property</u>	<u>3,750</u>	\$ <u>3,750</u>	\$	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

13d. Total Investments \$ 66,13014. **CASH ON HAND.** Include any money that you have that is not in the bank.14a. Total Cash on Hand \$ -0-

**Section 5**  
continued**15. AVAILABLE CREDIT.** List all lines of credit, including credit cards. (If you need additional space, attach a separate sheet.)

	Full Name of Credit Institution	Credit Limit	Amount Owed	Minimum Payment
Spouse	15a. Name <u>Citi Bank-Gm</u>	<u>8,500</u>	<u>8000</u>	<u>\$ 200</u>
	Address <u>FHB - Gm</u>	<u>5,000</u>	<u>4700</u>	<u>200</u>
	City/State/Zip <u>Pentagon</u>	<u>5,000</u>	<u>4500</u>	<u>200</u>
Daniel	15b. Name <u>Bo H</u>	<u>11,000</u>	<u>11,000</u>	<u>\$ 200</u>
	Address <u>Citi Bank</u>	<u>14,600</u>	<u>14,800</u>	<u>450</u>
	City/State/Zip <u>Home Depot</u>	<u>-</u>	<u>800</u>	<u>150</u>

**15c. Total Minimum Payments** \$ 1,200 - 1400**16. LIFE INSURANCE.** Do you have life insurance with a cash value? ☐ No ☒ Yes  
(Term Life Insurance does not have a cash value.)16a. Name of Insurance Company Pacific Guardian Life16b. Policy Number(s) H191509416c. Owner of Policy Daniel Matsun16d. Current Cash Value \$ 18,340 16e. Outstanding Loan Balance \$ none**Subtract "Outstanding Loan Balance: line 16e from "Current Cash Value" line 16d = 16f \$ 18,340****ATTACHMENTS REQUIRED:** Please include a statement from the life insurance companies that includes type and cash/loan value amounts. If currently borrowed against, include loan amount and date of loan.**Section 6**  
Other**17. OTHER INFORMATION.** Respond to the following questions related to your financial condition:  
(Attach a separate sheet if you need more space.) Information17a. Do you have a safe deposit box? ☒ No ☐ Yes

If yes, please include the name and address of location of box, the box number and the contents below:

17b. Do you have a will? ☒ No ☐ Yes; if yes, where is it kept?17c. Are there any garnishments against your wages? ☒ No ☐ Yes

If yes, who is the creditor? \_\_\_\_\_ Date of Judgment \_\_\_\_\_ Amount of debt \$ \_\_\_\_\_

17d. Are there any judgments against you? ☒ No ☐ Yes

If yes, who is the creditor? \_\_\_\_\_ Date of Judgment \_\_\_\_\_ Amount of debt \$ \_\_\_\_\_

17e. Are you a party to a lawsuit? ☒ No ☐ Yes

If yes, amount of suit \$ \_\_\_\_\_ Possible completion date \_\_\_\_\_ Court \_\_\_\_\_

Subject matter of suit \_\_\_\_\_

17f. Did you ever file bankruptcy? ☒ No ☐ Yes

If yes, date filed \_\_\_\_\_ Date discharged \_\_\_\_\_

17g. In the past 10 years did you transfer any assets out of your name for less than their actual value?

☒ No ☐ Yes

If yes, what asset? \_\_\_\_\_ Value of asset at time of transfer \$ \_\_\_\_\_

When was it transferred? \_\_\_\_\_ To whom was it transferred? \_\_\_\_\_

17h. Do you anticipate any increase in household income in the next 2 years? ☐ No ☒ YesIf yes, why will the income increase? House Renter (Attach sheet if you need more space.)How much will it increase? from 1,800 to 2,100 mth. Sept 200517i. Are you a beneficiary of a trust or an estate? ☒ No ☐ Yes

If yes, name of the trust or estate \_\_\_\_\_ Anticipated amount to be received \$ \_\_\_\_\_

When will the amount be received? \_\_\_\_\_

17j. Are you a participant in a profit sharing plan? ☒ No ☐ Yes

If yes, name of plan \_\_\_\_\_ Value in plan \$ \_\_\_\_\_

Name

Daniel Matsuo

SSN

523 90 8926

Page 4

**Section 7**  
Assets and  
Liabilities**18. PURCHASED AUTOMOBILES, TRUCKS AND OTHER LICENSED ASSETS.** Include boats, RV's, motorcycles, trailers, etc. (If you need additional space, attach a separate sheet.)

	Description (year, make, model)	*Current Value	Current	Name of Lender	Purchase Date	Monthly Payment
			Loan Balance			
*Current Value is the amount you could sell the asset for today	18a.	\$	\$			\$
	18b.	\$	\$			\$

**LEASED AUTOMOBILES, TRUCKS AND OTHER LICENSED ASSETS.** Include boats, RV's, motorcycles, trailers, etc. (If you need additional space, attach a separate sheet.)

	Description (year, make, model)	Lease Balance	Name and Address of Lessor	Lease Date	Monthly Payment
18c.		\$			\$
18d.		\$			\$

**ATTACHMENTS REQUIRED:** Please include your current statement from lender with monthly car payment and current balance of the loan for each vehicle purchased or leased.**20. REAL ESTATE.** List all real estate you own. (If you need additional space, attach a separate sheet.)

Street Address, City State, Zip, County Lender/Lien Holder	Date Purchased	Purchase Price	*Current Value	Loan Balance	Monthly Pymt
20a. 1355 Moanalua Lane Honolulu, HI 96815 Country Wide	1997	\$ 300,000	\$ 389,000	\$ 247,000	\$ 1,660
20b. second lien HELCO		\$	\$ 32,000	\$ 11,000	\$ 75

**21. PERSONAL ASSETS.** List all personal assets below. (If you need additional space, attach a separate sheet.)*Furniture/Personal effects* includes the total current market value of your household such as furniture and appliances*Other Personal Assets* includes all artwork, jewelry, collections, antiques or other assets

	Description	Current Value	Loan Balance	Lender	Monthly Payment	Date of Final Pymt
21a.	Furniture/Personal Effects	\$ 10,000	\$ -0-	none	\$ -	-
	Other: (List below)					
21b.	Artwork	\$ 3,000	\$ -	none	\$ -	-
21c.	Jewelry	\$ 10,000	\$ -	none	\$ -	-
21d.	Home Improvements	\$ 26,000	\$ 12,100	B&H	\$ 452	12/2007
21e.	Home	\$	\$		\$	

Name

Daniel Matsuo

SSN

523 90 8926

Page 5 -

**Section 7**

continued

**22. BUSINESS ASSETS.** List all business assets and encumbrances below, include Uniform Commercial Code filings. (If you need additional space, attach a separate sheet.) *Tools used in Trade or Business* includes the basic tools or books used to conduct your business, excluding automobiles. *Other Business Assets* includes machinery, equipment, inventory or other assets.

	<u>Description</u>	<u>Current Value</u>	<u>Loan Balance</u>	<u>Lender</u>	<u>Monthly Payment</u>	<u>Date of Final Pymt</u>
22a.	Tools used in Trade/ Business	\$ _____	\$ _____	_____	\$ _____	_____
	Other: (List below)					
22b.	Machinery	\$ _____	\$ _____	_____	\$ _____	_____
22c.	Equipment	\$ _____	\$ _____	_____	\$ _____	_____
22d.	_____	\$ _____	\$ _____	_____	\$ _____	_____
22e.	_____	\$ _____	\$ _____	_____	\$ _____	_____

**Section 8**Accounts/  
Notes  
Receivable*Use only if  
needed*

**23. ACCOUNTS/NOTES RECEIVABLE.** List all accounts separately, including contracts awarded, but not started. (If you need additional space, attach a separate sheet.)

	<u>Description</u>	<u>Amount Due</u>	<u>Date Due</u>	<u>Age of Account</u>
23a.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days
23b.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days
23c.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days
23d.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days
23e.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days
23f.	Name _____ Address _____ City/State/Zip _____	\$ _____	_____	<input type="checkbox"/> 0-30 days <input type="checkbox"/> 30-60 days <input type="checkbox"/> 60-90 days <input type="checkbox"/> 90+ days

Add "Amount Due" from lines 23a through 23f = 23g \$

Daniel Matsuo523-90-8926**Section 9**Monthly  
Income and  
Expense  
AnalysisIf only one  
spouse has  
a debt, but  
both have  
income, list  
the total  
household  
income and  
expenses.**Total Income****Source****Gross monthly**

24. Wages (yourself)	\$ <u>4166</u>
25. Wages (spouse)	<u>2,500</u>
26. Interest - Dividends	
27. Net Business Income	
28. Net Rental Income	<u>1,800</u>
29. Pension/Social Security	
30. Pension/Social Security (Spouse)	
31. Child Support	
32. Alimony	
33. Other	
34. Total Income	\$ <u>8,466</u>

**Total Living Expenses****Expense Items<sup>1</sup>****Actual Monthly**

35. Rent/Mortgage	\$ <u>1450</u>	600
36. Electric	<u>1660 + 75</u>	Hawaii
37. Natural Gas	<u>300</u>	
38. Cable TV	<u>45</u>	
39. Telephone	<u>150</u>	
40. Water	<u>100</u>	
41. Food	<u>1000</u>	
42. Car Payment CC	<u>1335</u>	
43. Gasoline low	<u>702</u>	
44. Car Insurance		
45. Cell Phone/Pager		
46. Other Utilities		
47. Clothing & Misc.		
48. Health Care		
49. Court Ordered Payments		
50. Child/Dependant Care	<u>1,000</u>	
51. Life Insurance	<u>105</u>	
52. Other secured debt		
53. Other expenses		
54. Education Expenses		
55. Total Living Expenses	\$ <u>7922</u>	

**ATTACHMENTS REQUIRED:** Please include;

- A copy of your last Form 1040 with all Schedules
- Proof of all current expenses that you paid for the last 3 months, including utilities, rent, insurance, property taxes, etc.
- Proof of all non-business transportation expenses (e.g car payments, lease payments, fuel, oil, insurance, parking, registration)
- Proof of payments for health care, including health insurance premiums, co-payments and other out-of-pocket expenses
- Copies of any court order requiring payment and proof of such payments for the past 3 months

**CERTIFICATION**

I declare that I have examined the information given in this statement and, to the best of my knowledge and belief, it is true, correct, and complete, and I further declare that I have no assets, owned either directly or indirectly, or income of any nature other than as shown in this statement, including any attachment.

Signature

D. Matsuo

Social Security No.

523-90-8926

Date

14 July 2005**WARNING**

False statements are punishable up to five years imprisonment, a fine of \$250,000, or both pursuant to 18 U.S.C. §1001.

<sup>1</sup>Expenses generally not allowed: We generally do not allow you to claim tuition for private schools, public or private college expenses, charitable donations, voluntary retirement contributions, payments on unsecured debts such as credit card bills and other similar expenses. However, we may allow these expenses, if you can prove that they are necessary for the health and welfare of you or your family.